

REMARKS

I. Summary of Amendment

By this Amendment, Applicants have amended claims 1, 25, 32, 41, 43, and 49.

Claims 1–50 are pending.

II. Summary of Rejections

In the Final Office Action of August 3, 2005 (as updated in the Examiner's Answer mailed October 30, 2008),¹ the Examiner

(a) rejected claims 1–11, 13–16, 18–25, 32–39, 41, 43, 44, and 46–50 under 35 U.S.C. § 101 for being directed to non-statutory subject matter;

(b) rejected claims 25 and 26 under 35 U.S.C. § 102(a) based on WO 01/18674 ("*Maloney*");

(c) rejected claims 1-9, 11-13, 17, 18, 20-24, 27, 30-32, and 34-50 under 35 U.S.C. § 103(a) based on *Maloney* and U.S. Patent No. 5,796,932 ("*Fox*");

(d) rejected claim 10 under 35 U.S.C. § 103(a) based on *Maloney*, *Fox*, and U.S. Patent Application Publication No. 2002/0082869 ("*Anderson*");

(e) rejected claim 19 under 35 U.S.C. § 103(a) based on *Maloney*, *Fox*, and Official Notice; and

(f) rejected claims 14-16, 28, 29, and 33 under 35 U.S.C. § 103(a) based on *Maloney*, *Fox*, and U.S. Patent Application Publication No. 2002/0059248 ("*Farchione*").

III. Rejection Under 35 U.S.C. § 101

Applicants have amended independent claims 1, 25, 32, 41, 43, and 49 to ensure that those method claims are associated with another statutory class, such as a

¹ Applicants note that the Final Office Action and Examiner's Answer contain numerous statements concerning the related art, claims, etc. Regardless of whether any such statement is addressed specifically herein, Applicants decline to automatically subscribe to any assertion or characterization in the Office Action or the Examiner's Answer.

"computer system." Accordingly, the rejection of claims 1-11, 13-16, 18-25, 32-39, 41, 43, 44, and 46-50 under 35 U.S.C. § 101 should be withdrawn for at least this reason.

IV. Rejections Under 35 U.S.C. §§ 102(a) and 103(a)

Applicants traverse the rejections under 35 U.S.C. §§ 102(a) and 103(a) for at least the reasons discussed in Applicants' Appeal Brief filed on February 3, 2006, and Reply Brief filed on June 12, 2006. Pursuant to M.P.E.P. § 706.07(h), Applicants' arguments in the Appeal Brief and Reply Brief regarding the rejections under 35 U.S.C. §§ 102(a) and 103(a) are incorporated herein by reference.

CONCLUSION

Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

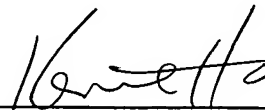
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 30, 2008

By: _____



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